

**STATE OF LOUISIANA
DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONS**

JUVENILE TRANSFER PROVISIONS

Age of Offender:	14	15	16
14:30 1 st Degree Murder	<input type="checkbox"/>	<input type="checkbox"/> ●	<input type="checkbox"/> ●
14:30.1 2 nd Degree Murder	<input type="checkbox"/>	<input type="checkbox"/> ●	<input type="checkbox"/> ●
14:42 Aggravated Rape	<input type="checkbox"/>	<input type="checkbox"/> ●	<input type="checkbox"/> ●
14:44 Aggravated Kidnapping	<input type="checkbox"/>	<input type="checkbox"/> ●	<input type="checkbox"/> ●
14:30 Attempted 1 st Degree Murder		■	■
14:30.1 Attempted 2 nd Degree Murder		■	■
14:31 Manslaughter		■	■
14:64 Armed Robbery		■	■
14:64 Armed Robbery with Firearm	<input type="checkbox"/>	<input type="checkbox"/> ■	<input type="checkbox"/> ■
14:60 Aggravated Burglary		<input type="checkbox"/> ■	■
14:42.1 Forcible Rape	* <input type="checkbox"/>	<input type="checkbox"/> ■	<input type="checkbox"/> ■
14:43 Simple Rape		■	■
14:44.1 2 nd Degree Kidnapping		■	
14:43.4 Aggravated Oral Sexual Battery	<input type="checkbox"/>	<input type="checkbox"/> ■	<input type="checkbox"/> ■
14:34 Aggravated Battery w/ Firearm	<input type="checkbox"/>	<input type="checkbox"/> ■	<input type="checkbox"/> ■
14:34 2 nd or subsequent Agg. Battery		■	■
14:60 2 nd or subsequent Agg. Burglary		■	■
14:62.2 2 nd or subsequent Burglary of Inhabited Dwelling			■
40:966 2 nd or subsequent felony grade		■	■
40:967 violation of Title 40			

☐ On motion of court or DA, transfer hearing may be conducted to determine whether to transfer a juvenile if delinquency petition filed. If transferred and subsequently convicted, a 14 year old may not be held beyond 31st birthday. Ch.C.Art. 857. (NOTE: If found guilty or pleads to lesser and included offense, juvenile court not revested with jurisdiction. Ch.C.Art. 305(D) & Ch.C.Art. 863.) (Also NOTE: Ch.C.Art. 858 additionally allows juvenile to move for transfer hearing.) * Ch.C.Art. 857 amended by Act 1137 of 1997 to include forcible rape if victim is two years younger than rapist.

● (a) indictment returned or (b) juvenile court holds continued custody hearing and finds probable cause, whichever occurs first. Ch.C.Art., 305(A). Ch.C.Art. 305(D) states that if a juvenile is transferred and is found guilty or pleads to a lesser and included offense, juvenile court not revested with jurisdiction.

- No discretion after either of above occurs.

■ (a) indictment returned or (b) juvenile court holds continued custody hearing and finds probable cause and bill of information filed whichever occurs first. Ch.C.Art. 305(B). (See also Ch.C.Art. 305(D) above.)

- DA has discretion to file petition in juvenile court or to

-No discretion after indictment returned or bill of information filed. (See also Ch.C.Art. 858 above.)